

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

CHRISTOPHER D. BROWN, et al.,
(Michael Howard Hunter)

Plaintiffs,

vs.

SPOKANE COUNTY, et al.,

Defendants.

NO. 83-CV-561-JLQ

**ORDER DENYING MOTIONS TO
VACATE AND RELEASE**

BEFORE THE COURT are the Defendant's Motions to Vacate (Ct. Rec. 141) and to Treat as Writ of Habeas Corpus and Grant Release (Ct. Rec. 142). This court has previously denied Motions by Mr. Hunter in this matter, including an Order Denying Reconsideration (Ct. Rec. 140). These latest filings are identical in alleged grievances, argument, and relief sought.

His allegations to the contrary notwithstanding, the doors to the federal judicial system have been far from closed to Mr. Hunter. He has previously filed innumerable motions and claims in this court, all of which have been denied. Despite rulings adverse to him in this court and the Ninth Circuit Court of Appeals, Mr. Hunter persists in refileing pleadings making the same claims. If Mr. Hunter is a state prisoner, he is required to completely exhaust his constitutional claims in the state courts where he is being prosecuted or held and if the highest state court finally rejects his claims he may then bring an action in this court challenging his conviction and/or sentence.

IT IS HEREBY ORDERED:

1. The Plaintiff's Motion to Vacate (Ct. Rec. 141) is **DENIED**.
2. The Plaintiff's Motion to Treat as Writ of Habeas Corpus and Grant Release

1 (Ct. Rec. 142) is **DENIED**.

2 3. The filing of subsequent motions or claims in this matter by Mr. Hunter prior to
3 complete exhaustion of his claims in the state courts may result in this court's entry of a
4 Vexatious Litigant Order against him, precluding him from filing any further claims or
5 pleadings.

6 The Clerk is hereby directed to enter this Order and furnish copies to counsel, Mr.
7 Hunter, and the Prosecuting Attorney of Spokane County.

8 **DATED** this 16th day of October, 2009.

9 s/ Justin L. Quackenbush
10 JUSTIN L. QUACKENBUSH
11 SENIOR UNITED STATES DISTRICT JUDGE
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